



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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Paper No. 10

In re application of:

Zuniga et al.

Serial No.: 09/848,830

Filed: May 3, 2001

For: CARRIER HEAD WITH A MULTILAYER  
RETAINING RING FOR CHEMICAL  
MECHANICAL POLISHING

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DECISION ON  
PETITION

This is a response to the PETITION TO WITHDRAW NOTICE OF ABANDONMENT OR TO REVIVE APPLICATION UNDER 37 CFR 1.137(B), filed January 16, 2003. The petition requests that the abandonment, as set forth in the Notice of Abandonment of November 29, 2002, for failure to timely file a proper response to the Office letter mailed May 9, 2002 be withdrawn. Petitioner asserts that Applicants properly and timely replied to the Office Action.

**DECISION**

Since petitioner asserts that the Office Action was timely replied to, the request is accepted as a petition under 37 C.F.R. 1.181 (no fee). A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence is sufficient to establish that applicants did in fact reply to the Office Action in a timely fashion. The submitted evidence is a copy of the postcard receipt, which shows a USPTO date stamp of November 22, 2002, and a copy of the response to the Office Action submitted on that date. It is noted that the response included a certificate of mailing dated November 8, 2002

Therefore, the Notice of Abandonment is hereby withdrawn, and the case is returned to pending status. The case will be forwarded to the Technical Support Staff for entering of the Response and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED.**



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